

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

<b>ROBERT W. JOINER,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 3:09-0085</b>
	)	<b>Judge William J. Haynes, Jr.</b>
<b>EMBRAER AIRCRAFT</b>	)	
<b>MAINTENANCE SERVICES, INC.,</b>	)	<b>JURY DEMANDED</b>
	)	
<b>Defendant.</b>	)	

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**DEFENDANT'S MOTION FOR RECONSIDERATION OF THE COURT'S ORDER  
GRANTING PLAINTIFF'S MOTION TO ALTER OR AMEND AND TO REINSTATE  
ITS ORIGINAL RULING ON DEFENDANT'S MOTION FOR SUMMARY JUDGMENT  
OR, IN THE ALTERNATIVE, CERTIFICATION OF AN INTERLOCUTORY APPEAL**

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Defendant Embraer Aircraft Maintenance Services, Inc. ("EAMS"), respectfully, moves the Court to reconsider its Order on Plaintiff's Motion to Alter or Amend and to reinstate its Order granting EAMS' Motion for Summary Judgment. In the alternative, EAMS requests that the Court certify for interlocutory appeal whether Plaintiff met the onerous burden of establishing that he was entitled to the extraordinary relief of a Rule 59(e) motion.

The grounds for this motion are more completely set forth in the accompanying memorandum of law filed contemporaneously herewith.

*Dowell*

In the review of the record,  
the Court's Order does not present a  
substantial issue for appeal and the  
Court REAFFIRMS its Order granting  
Plaintiff's motion to alter and amend.  
Plaintiff's motions to alter and amend  
for the reasons set forth in that Order. These  
motions are DENIED.

*S. Dowell*  
*11/10/10*  
*6-2-11*